Paper No. 4

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OFFICE OF PETITIONS

In re Application of   :
Debby Hindus et al   :   DECISION GRANTING
Application No. 09/847,201   :   PETITION
Filed: May 2, 2001   :
Attorney Docket No. 060231-302102   :

This is a decision on the paper styled "Request For Corrected
Filing Receipt" filed September 11, 2001, requesting that the
above-identified application be accorded a filing date of May 2,
2001, rather than the presently accorded filing date of May 3,
2001. The petition is properly treated as a petition under 37
CFR 1.10(d).

Applicants request the later filing date on the basis that the
application was purportedly deposited with the U.S. Postal
Service (USPS) as Express Mail on May 2, 2001, pursuant to the
requirements of 37 CFR 1.10. In support, applicants provide a
copy of the Express Mail label, receipt no. EH772165343US. The
same Express Mail label number appears on the copy of the
original application transmittal letter submitted with the
present petition. It is noted that while the "date-in" on the
copy of the Express Mail receipt was left blank, it includes a
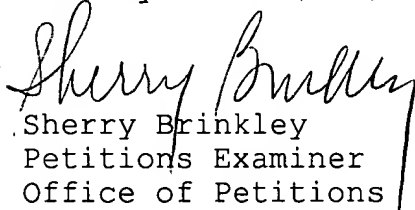"Washington Square Wash DC USPS" receipt stamp dated "May 2,
2001".

In view of the above, the evidence is convincing that the
application was deposited as "Express Mail" with the US Postal
Service on May 2, 2001.

The petition is granted. A copy of the corrected Filing Receipt
is enclosed.

No petition is required and none has been charged.

The application is being returned to Technology Center AU 2662
for examination in due course.

Telephone inquiries specific to this matter should be directed to
Wan Laymon at (703) 306-5685.

Sherry Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
   for Patent Examination Policy

Enclosure: Corrected Filing Receipt